

## REMARKS

No claims have been amended, added or cancelled. Therefore, claims 1-14 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### Specification Objection:

The Examiner objected to the specification because reference characters "101" and "102" have both been used to designate frame on page 4 of the specification and reference character "107" has been used to designate both spring fingers and first opening on page 7 of the specification. The specification has been amended to correct these typographical errors.

### Section 102(b) Rejection:

The Examiner rejected claims 1, 2, 4, 5, 8, 9, 11 and 12 under 35 U.S.C. § 102(b) as being anticipated by Buican et al. (U.S. Patent 6,339,536) (hereinafter "Buican"). Applicant traverses this rejection for at least the following reasons.

Regarding claim 1, contrary to the Examiner's assertion, Buican fails to teach *a plurality of tabs arranged around the opening, wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening*. The Examiner equates component 806 (Buican's alignment tab) to these tabs. However, there is clearly only one alignment tab 806 in Buican's window ledge 801, as described in column 5, lines 36-43.

Also regarding claim 1, Buican fails to teach *wherein the shield bracket is slidable to cover the opening*. The Examiner refers to components in figures 1 and 7-9 as teaching this limitation. While Buican's shield bracket is described as "removable", nowhere is it described or depicted as being "slidable to cover the opening."

Further regarding claim 1, Buican fails to teach *wherein, when covering the opening, the shield bracket is retained by the plurality of tabs*. The Examiner refers to shielding tabs 703 as teaching this limitation. This is in direct conflict with the Examiner's earlier remarks, in which the Examiner equated alignment tab 806 to the plurality of tabs in claim 1. Furthermore, shielding tabs 703 are tabs located on Buican's shielding bracket. Thus, they are not a plurality of tabs arranged around the opening of the computer chassis frame, as recited in Applicant's claim 1.

Applicant reminds the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Buican clearly fails to teach numerous limitations of claim 1. Therefore, Buican cannot be said to anticipate claim 1, and removal of the rejection is thereof respectfully requested.

Independent claim 8 includes similar limitations to those discussed above regarding claim 1. Therefore the arguments presented above apply with equal force to claim 8, as well.

### **Section 103(a) Rejection:**

The Examiner rejected claims 3, 6, 7, 10, 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Buican. Applicant traverses these rejections for at least the reasons given above in regard to the independent claims. Furthermore, Applicant notes that the Examiner has supplied no evidence whatsoever to support her assertions of what would have been obviousness. Applicant traverses the Examiner's statements of obviousness in regard to these claims. The Examiner's statements as to what would have been obvious amount to nothing more than the Examiner's own opinion and are

completely unsupported by any evidence of record. “Deficiencies of the cited references cannot be remedied by the [Examiner’s] general conclusions.” *In re Zurko*, 59 USPQ2d 1693, 1697 (Fed. Cir. 2001). Therefore, the rejection of these claims is improper.

In regard to the rejections under both § 102(b) and § 103(a), Applicant asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejections have been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

### CONCLUSION


Applicant submits the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-74100/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,



Robert C. Kowert  
Reg. No. 39,255  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

Date: January 30, 2006